

AMENDED IN SENATE MAY 16, 2007

SENATE BILL

No. 604

Introduced by Senator Cox

February 22, 2007

An act to amend Section 4753 of the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

SB 604, as amended, Cox. Prisoners: local cost reimbursements.

Existing law authorizes reimbursement of cities and counties by the Controller for local costs incurred in connection with state prisons and prisoners, as specified.

This bill would require interest to be paid upon the reimbursement claim if reimbursement is made more than 60 days after the statement of costs is received by the Controller, as specified. *The bill would also require the interest to be paid from the Controller's budget.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4753 of the Penal Code is amended to
- 2 read:
- 3 4753. A city or county shall designate an officer or agency to
- 4 prepare a statement of costs that shall be reimbursed under this
- 5 chapter.
- 6 (a) The statement shall be sent to the Controller for approval.
- 7 The statement may not include any costs that are incurred by a
- 8 superior court, as described in Section 4751.5. The Controller shall
- 9 reimburse the city or county within 60 days after receipt of the

1 statement or provide a written statement as to the reason for not
2 making reimbursement at that time. If sufficient funds are not
3 available, the Controller shall request the Director of Finance to
4 include any amounts necessary to satisfy the claims in a request
5 for a deficiency appropriation.

6 (b) The payment of a reimbursement claim by the Controller
7 shall include accrued interest at the Pooled Money Investment
8 Account rate, if the payment is being made more than 60 days after
9 the receipt of the statement of costs submitted by the city or county
10 pursuant to this chapter. In those instances interest shall begin to
11 accrue as of the 61st day after the receipt of the statement of costs.

12 (c) *The interest specified in subdivision (b) shall be paid from*
13 *the budget of the Controller.*

14 (d) *If funding appropriated by the Legislature for*
15 *reimbursements pursuant to subdivision (a) is deficient, the interest*
16 *charges shall not accrue against the Controller's budget during*
17 *the time that the funding is deficient.*